

2014 OA-1

**AMENDING CHAPTER 7 OF THE DANE COUNTY CODE OF ORDINANCES,
REVISION OF COUNTY BOARD RULES**

The County Board of Supervisors of the County of Dane does ordain as follows:

ARTICLE 1. Unless otherwise expressly stated herein, all references to section and chapter numbers are to those of the Dane County Code of Ordinances.

ARTICLE 2. Section 7.11(5) is amended to read as follows:

(5)(a) Standing committees may create subcommittees composed entirely of their own members or other supervisors or may call upon the assistance of non-supervisors in examining particular issues. Appointment to sub-committees and the selection of non-supervisory advisors shall be at the discretion of the committee chairperson.

(b) As soon as possible after creation of a subcommittee, the membership shall be reported to the county clerk and the county board office.

ARTICLE 3. Section 7.11(11) is created to read as follows:

(11) The Public Protection and Judiciary Committee and the Health and Human Needs Committee shall hold a joint meeting at least once a year to discuss mental health issues in the jail, court diversion programs, and other issues of common interest as determined by the chairpersons of the committees.

7.11(9) The standing committees of the Dane County Board shall be:

(a) The zoning and land regulation committee, a majority of whose members shall be from supervisory districts with at least 50% of the land area subject to the Dane County Zoning Ordinance.

ARTICLE 4. Section 7.15(2) is amended to read as follows:

(2) Act as the policy oversight committee for the Dane County Housing Authority, the commission on sensitive crimes, the specialized transportation commission, and the Dane County Humane Society; and act as the budget review committee for the Board of Health for Madison and Dane County.

ARTICLE 5. Section 7.17(2) is amended to read as follows:

(2) Act as the policy oversight committee for the Dane County Local Emergency Planning Committee, offices of sheriff, district attorney and clerk of courts, and the Dane County court system.

ARTICLE 6. Section 7.22(3) is amended to read as follows:

(3)(a) When closed or executive sessions are permitted by statute, the chairperson shall publicly announce the closed or executive session and explain briefly the reasons as authorized by statute. The announcement and reason shall be duly recorded in the minutes. Any case of doubt as to legality shall be resolved in favor of an open meeting.

(b) A county official or employee shall not disclose confidential information that has been acquired by being present at a closed session authorized by Wisconsin Statutes s. 19.85. For purposes of this section, "confidential information" means any communication in a closed session that is specifically related to the agenda item that is authorized to be considered in closed session.

ARTICLE 7. Section 7.22(6) is amended to read as follows:

(6) A copy of the agenda, including the time and place of the meeting and of the matters to be discussed, shall be given to the county clerk by noon on the Friday prior to the week in which the meeting will occur for posting on the bulletin board in his or her office and such other place(s) in the City-County Building which provide prompt and sufficient notice to the public as soon as possible after scheduling but no less than 24 hours prior to the meeting.

ARTICLE 8. Section 7.22(11) is amended to read as follows:

(11) In the event a scheduled meeting must be canceled, the chairperson shall provide timely notification to the county clerk and other committee members and to the public. In the event a committee meeting is cancelled on the day of the scheduled meeting, the chair shall arrange for conspicuous written notice to be posted at the entrance of the location where the meeting was to be held, and on the county website.

ARTICLE 9. Section 7.25 is amended to read as follows:

7.25 FISCAL NOTES. All resolutions and ordinances involving the expenditure or receipt of funds shall carry a fiscal note using a form approved by the personnel & finance committee which details the resolution's impact upon county finances. A resolution or ordinance which does not have attached a fiscal note shall not be forwarded to the county clerk for introduction, unless the resolution or ordinance amendment is directly introduced by a supervisor.

ARTICLE 10. Section 7.52 is amended to read as follows:

7.52 RESOLUTIONS; FORM. (1) All resolutions and ordinance amendments shall be sponsored by a supervisor in order to be forwarded to the county clerk for introduction. Only supervisors may sponsor resolutions and ordinance amendments. Supervisors shall indicate their district number after the signature. Supervisors may indicate sponsorship or a change in sponsorship until the item is acted upon by the county board, by so notifying the county clerk. All resolutions and ordinance amendments must be received by the county clerk by noon on the day of the Board meeting to be introduced. The county clerk shall provide each primary sponsor with a copy of proposed legislation at the board meeting so that it may be circulated for additional signatures.

(2) The chairperson may require that any particular motion be submitted in writing and signed by the supervisor making the motion.

(3) The primary sponsor shall be designated at the time the item is forwarded to the county clerk for introduction.

(4) Each resolution and ordinance amendment shall be prefaced by a clause briefly stating its substance, and should the passage of a resolution or ordinance amendment require the expenditure of money, a provision for the appropriation shall be included.

(5) Copies of all resolutions and ordinance amendments referred to committee shall be available electronically by the Monday following their introduction. Copies shall be placed in a member's box in the county board office upon request.

(6) All ordinance amendments shall be drafted by the Corporation Counsel or reviewed by Corporation Counsel prior to introduction. If review is not accomplished within 30 days, the item may be introduced.

ARTICLE 11. Section 7.53(1) is amended to read as follows:

7.53 RESOLUTIONS; REFERRALS. (1) All resolutions and ordinance amendments shall be referred by the chairperson to the proper standing committee or committees, and shall also be referred to boards and commissions, if relevant, for study and consideration before action is taken by the county board. Petitions for amendment of a zoning ordinance shall be referred to committee by the county clerk, as provided for in sec. 59.69(5), Wis. Stats. Claims for denial by the County's insurance shall be considered by the Public Protection and Judiciary Committee for final recommendation to the county board.

ARTICLE 12. Section 7.54(2) is amended to read as follows:

(2) A supervisor may move to place a resolution or ordinance amendment on the county board agenda. A motion to place a resolution, ordinance, or ordinance amendment on the county board agenda may be made at a county board meeting only after at least 45 days have elapsed from the date of referral and the motion will be placed on the county board agenda for the next regular county board meeting. If the motion is approved by a majority of the supervisors present at that meeting, the resolution, ordinance, or ordinance amendment shall be placed on the agenda for action at the next regular county board meeting. However, for a resolution, ordinance, or ordinance amendment referred to committee by the county board a motion to place the item on the agenda may be made at any time.

ARTICLE 13. Section 7.56(1m) is amended to read as follows:

(1m) Prior to being forwarded to the county clerk for introduction, any resolution or ordinance amendment involving the expenditure or receipt of funds must be reviewed by the controller and shall be accompanied by a fiscal note, unless the item is directly introduced by a supervisor. Should amendments or substitutes be developed, the department initiating the item shall be responsible for updating the fiscal note.

ARTICLE 14. Section 7.56(3) are amended to read as follows:

(3) Copies of all such contracts, signed by the other party, shall be in the county board chambers and in the possession of the county clerk at the time they are considered. This requirement shall not apply to intergovernmental agreements or other contracts with another governmental body. Contracts shall not be modified after county board approval unless provided for by county board action.

ARTICLE 15. Section 7.58(10) is amended to read as follows:

(10) A session of the county board shall be a one year period, beginning on the third Tuesday in April in even-numbered years, and on the date of the second meeting in April in odd-numbered years. The session beginning April 15, 2014, shall be designated board year 2014. The session beginning in April of each succeeding year shall be designated by the year in which it commences.

ARTICLE 16. Section 7.59(4) is amended to read as follows:

(4) The two seats to the chairperson's left on the center aisle of the fifth row shall be reserved for the county board's staff. Remaining seats in the fifth row to the chairperson's left shall be reserved for the news media. Access to media seating shall not be available to the general public, registered lobbyists, or individuals registered to address the board in support of or opposition to an item on the board agenda. If members of the media do not use the seats, the seats may be used by staff from county departments and other county officials.

ARTICLE 17. Section 7.59(7) is amended to read as follows:

(7) The county clerk shall have a seat at the rostrum, designated by the county board chairperson.

ARTICLE 18. Section 7.60 is amended to read as follows:

7.60 COUNTY BOARD AGENDA. (1) Unless an exception is granted by the county board chair, all items to be included on the agenda must have committee action by 9:00 a.m. on the day which is 7 days prior to the board meeting.

(2) The county board office shall prepare and release the agenda by 4:00 p.m. on the day which is 6 days prior to the board meeting.

(3) An item may be placed on the agenda as a special order of business at the request of the county board chairperson or by any county board committee, with the approval of the county board chairperson, such requests being entered on the minutes of the committee.

ARTICLE 19. Section 7.61 is amended to read as follows:

7.61 COUNTY BOARD AGENDA; ORDER OF BUSINESS.

(1) The order of business for county board meetings shall be as follows:

A. Roll Call

1. Prayer/Inspirational message (limited to three minutes)
2. Pledge of allegiance

B. Special Matters and Announcements

1. Memorial resolutions, proclamations and special presentations (limited to ten minutes)
2. Appearances by the county executive
3. Announcements (limited to two minutes and to the announcement of a coming event or the introduction of an item)
4. Public hearings

C. Approval of payments

The list of all bills to be presented to the board for payment shall be made available no later than forty-eight hours prior to the meeting and shall be presented to the county clerk's office, and posted on the county board website.

D. Claims recommended for denial.

E. Approval of county board minutes

F. Consent Agenda (items which passed all committees, boards, commissions, etc., without opposition or abstention, for which there are no amendments, and for which no requests have been made not to place on the consent agenda. Items which were reported out of committee with "no recommendation" shall not be placed on the consent agenda.)

G. Motions from previous meetings

1. Motions from previous meetings, including motions to reconsider, rescind, place a resolution or ordinance amendment on the agenda, or override a county executive veto.

H. Reports on zoning petitions

I. Ordinance amendments

J. Award of contracts

K. Resolutions

L. Appointments

M. Items Requiring a Two-Thirds Majority for Passage. In addition to any other items requiring a two-thirds vote, any ordinance amendment or resolution creating or changing fees charged to users of services that is considered after adoption of the annual budget shall require a two-thirds vote of the county board.

N. Special order of business. All special order items will be placed in this section except that, in the exercise of his or her discretion, the chairperson may designate a time certain for such matters

O. Such other business as the county board is authorized to conduct by law

P. Adjournment

ARTICLE 20. Section 7.62(4) is amended to read as follows:

(4)(a) While the board is in session, cell phones, pagers, laptop and tablets, and other personal communication devices shall be kept in a silent mode, so that no audible sound is generated by the device.

(b) 1. Supervisors shall use county-provided electronic devices in accordance with the county's policy on Proper Use of Computer Equipment, Software and Connectivity.

2. Failure to follow the county's policy may result in revocation of access to county-provided devices.

3. Use of an electronic device during a meeting may be subject to Wisconsin's Open Meetings and Public Records Laws.

ARTICLE 21. Section 7.63(4) is amended to read as follows:

(4) As any particular resolution, ordinance amendment or other matter is brought before the board, the chairperson shall announce the number of registrations filed from those present at the meeting and the position of the registrants regarding the agenda item. If petitions have been filed with the county clerk prior to the meeting, the chairperson shall announce the number of petitions filed and the petitioner's positions in reference to the agenda item.

ARTICLE 22. Section 7.66 is amended to read as follows:

7.66 PUBLICATION OF COUNTY BOARD MINUTES. (1) The clerk shall furnish to the members a copy of the minutes of the previous meeting as soon as available.

(2) The proceedings of the Dane County Board shall contain as follows:

(a) All roll calls.

(b) List of payments referred by the personnel & finance committee.

(c) List of zoning petitions referred by the county clerk to the zoning and land regulation committee.

(d) Resolutions, ordinance amendments, exhibits of tax deeds, motions and committee recommendations and board actions on same; resolutions, ordinances and motions to be printed only once and referred to at later meetings by date and/or page number.

(e) Any oral motions receiving a second.

- (f) Persons other than supervisors appearing before the board, the matter on which they appeared and the position taken.
- (g) Supervisors speaking on any resolution but only upon request of the supervisor speaking.
- (h) Items referred by the chairperson after adjournment.
- (i) Measures treated in the negative by action of the county board shall only be referred to in the proceedings of the board by a relating clause. In the absence of a relating clause, a short explanation shall state the subject matter of such measure.

ARTICLE 23. Section 7.67(5) is amended to read as follows:

(5) All questions not covered by the above rules shall be governed by the most recent edition of Robert's Rules of Order .

[EXPLANATION: This amendment revises the organizational and procedural rules of the county board.]